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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/535,348	05/18/2005	Franz Amtmann	AT02 0068 US	7144
65913	7590	08/12/2008	EXAMINER	
NXP, B.V.			BROWN, VERNAL U	
NXP INTELLECTUAL PROPERTY DEPARTMENT				
M/S41-SJ			ART UNIT	PAPER NUMBER
1109 MCKAY DRIVE			2612	
SAN JOSE, CA 95131				
NOTIFICATION DATE		DELIVERY MODE		
08/12/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/535,348	<b>Applicant(s)</b> AMTMANN ET AL.
	<b>Examiner</b> VERNAL U. BROWN	<b>Art Unit</b> 2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 10 July 2008.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

## **DETAILED ACTION**

This action is responsive to communication filed on 7/10/2008.

### ***Response to Arguments***

Applicant's arguments filed 7/10/2008, with respect to the rejection(s) of claims 1-12 under Cesar et al. 5673037 in view of Meier European Patent Application EP 0805575 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Werb et al. US Patent 6,150,921.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5, 7, 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Werb et al. US Patent 6,150,921.

Regarding claims 1-3, 5, 7, 10, Werb et al. teaches a request signal to a transponder comprising a command data and a check data block (col. 13 lines 13-22). Werb et al. teaches the transponders are encoded with a unique identification code (UID) and the UID is also used to identify a group of transponders (col. 3 line 54, col. 13 line 66-col. 14 line 8). Werb et al. teaches the check data block is significant for a group of transponders because the check data block (CRC) is used to determine the validity of the received data signal (col. 13 lines 18-19) and the

data from the check data block is evaluated for the recognition of whether a transponder belongs to a group of transponders (col. 14 lines 9-16). Werb et al. teaches a communication station (102a) for communicating with the transponders (col. 3 lines 51-54).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 6, 8, 9, and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Werb et al. US Patent 6,150,921 in view of Meier European Patent Application EP 0805575.

Regarding claim 4, Werb et al. teaches transmitting a check data block to the transponders and the check data block (CRC) is used to determine the validity of the received data signal (col. 13 lines 18-19) but is not explicit in teaching a CRC generation data block means. Meier in an analogous art teaches a transponder comprising a CRC data block generation means provided by linear feedback shift registers and teaches the CRC data block is based on the predetermined CRC algorithm and the initial state of the data flip flop which forms the start value (page 4 lines 20-35). Meier teaches preprogramming the shift registers with a start value memory means provided by the cipher key EEPROM (58) and the start value memory is programmable by the interrogator with different start values (page 4 lines 36-50).

It would have been obvious to one of ordinary skill in the art to modify the system of Werb et al. as disclosed by Meier because the programming of CRC generator start value provides for the creation of a unique signature error detection system and further increases the data security of the system.

Regarding claims 6, 8, 9, Werb et al. teaches transmitting a check data block to the transponders and the check data block (CRC) is used to determine the validity of the received data signal (col. 13 lines 18-19) but is silent on teaching a CRC generation data block means Meier in an analogous art teaches a transponder comprising a CRC data block generation means provided by linear feedback shift registers and teaches the CRC data block is based on the predetermined CRC algorithm and the initial state of the data flip flop which forms the start value (page 4 lines 20-35). Meier teaches preprogramming the shift registers with a start value memory means provided by the cipher key EEPROM (58) and the start value memory is programmable by the interrogator with different start values (page 4 lines 36-50). Meier teaches the check data block generation means is provided by the CRC generator and the CRC checking is carried out by shifting the received data through the shift registers (page 6 lines 25-27).

It would have been obvious to one of ordinary skill in the art to modify the system of Werb et al. as disclosed by Meier because the programming of CRC generator start value provides for the creation of a unique signature error detection system and further increases the data security of the system.

Regarding claims 11-12, Werb et al. teaches transmitting a check data block to the transponders and the check data block (CRC) is used to determine the validity of the received data signal (col. 13 lines 18-19) but is silent on teaching a CRC generation data block means

Meier in an analogous art teaches a transponder comprising a CRC data block generation means provided by linear feedback shift registers and teaches the CRC data block is based on the predetermined CRC algorithm and the initial state of the data flip flop which forms the start value (page 4 lines 20-35). Meier teaches preprogramming the shift registers with a start value memory means provided by the cipher key EEPROM (58) and the start value memory is programmable by the interrogator with different start values (page 4 lines 36-50). Meier teaches the check data block generation means is provided by the CRC generator and the CRC checking is carried out by shifting the received data through the shift registers (page 6 lines 25-27).

It would have been obvious to one of ordinary skill in the art to modify the system of Werb et al. as disclosed by Meier because the programming of CRC generator start value provides for the creation of a unique signature error detection system and further increases the data security of the system.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VERNAL U. BROWN whose telephone number is (571)272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Zimmerman can be reached on 571-272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Vernal U Brown/  
Examiner, Art Unit 2612